

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

LIANG CAO

Case No. 8:24-MJ-230 (GLF)

Defendant.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 3, 2024 in the county of Clinton in the Northern District of New York the defendant violated:

Code Section
18 U.S.C. § 2252A(a)(5)(B)

Offense Description
Possession of child pornography

This criminal complaint is based on these facts:
See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Steven Prenoveau, HSI SA

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: May 7, 2024

Judge's signature

City and State: Plattsburgh, NY

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Steven Prenoveau, being first duly sworn, hereby depose and state as follows:

1. I am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code.

2. I am currently employed as a Special Agent (SA) with the United States Department of Homeland Security, Homeland Security Investigations (HSI) Rouses Point, located in Plattsburgh, New York. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. I am empowered by law to conduct investigations of, or to make arrests for, federal criminal offenses, including but not limited to, offenses enumerated in Title 18, United States Code.

3. I have a Bachelor of Arts degree in French from State University of New York in Fredonia, NY and a Master's degree in Education from the State University of New York in Plattsburgh. I have completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, GA. I have received formal instruction from U.S. Special Agents, Assistant United States Attorneys, and other law enforcement agents who have done extensive work in investigating drug trafficking and related financial crimes. Since March 2004, I have conducted and participated in the investigation of a wide range of federal criminal violations, including drug trafficking, money laundering, firearms trafficking, mail fraud, wire fraud, immigration investigations, computer crimes and child exploitation, including but not limited to; Title 18, United States Code, Section 2251(a) (sexual exploitation of children) and Title 18, United States Code, Section 2252A(a)(2)(A) (distributing and receiving child pornography) and (a)(5)(B) (possessing child pornography).

4. As part of my current duties, I have become involved in an investigation related to violations of Title 18, United States Code, Section 2252A (a)(5)(B) (possessing child pornography). This affidavit is made in support of a criminal complaint charging Liang CAO with a violation of Title 18, United States Code, Section 2252A(a)(5)(B) (possessing child pornography).

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses who I believe to be reliable. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

PROBABLE CAUSE

6. On May 3, 2024, Liang CAO attempted to enter the United States from Canada at the Champlain, NY, Port of Entry. CAO is a Canadian citizen. During a secondary inspection of CAO, Customs and Border Protection (CBP) Officers placed CAO's cell phone in airplane mode and conducted a cursory, manual examination of CAO's cellular device, an Apple iPhone 14 Pro Max. During the cursory, manual examination, CBP Officers observed what appeared to be images and videos of child pornography.

7. CBP Officers contacted your Affiant to respond to the Port of Entry to determine if the videos and images were in violation of U.S. law. Upon arriving at the Champlain, NY, Port of Entry, your

Affiant observed some of the videos and images on CAO's Apple iPhone 14 Pro Max. The following paragraphs summarize a few videos and images that your Affiant viewed.

8. Video 1 shows what appears to be a pre-pubescent female laying on a bed with genitals exposed. An adult male wearing a makeshift face covering is engaged in oral sex of the female. The female then uses her right hand to masturbate the adult male's penis. The video then continues with the adult male on top of the female, and it appears the adult male is attempting intercourse. The video is approximately 2 minutes in length.

9. Video 2 shows what appears to be a pre-pubescent female on top of an adult male. The female is rubbing her genitals over the adult male's penis. It also appears the adult male is holding the female and guiding her body back and forth. The adult male ejaculates on himself at which time the female pulls away from the adult male's penis. As the video ends, there appears to be a second set of legs lying next to the male. The video is approximately one minute 12 seconds in length.

10. Image 1 shows what appears to be a pre-pubescent female posing in a lascivious manner. The female is fully nude, with genitals displayed. There is a photo tag with the website www.bd-company.com.

11. Image 2 shows what appears to be the same pre-pubescent female from Image 1 laying on a blanket. The female is fully nude with genitals displayed. The female is wearing only high-heeled shoes. There is a photo tag with the website www.bd-company.com.

12. Image 3 shows what appears to be a pre-pubescent female posing in a room, sitting on a wood floor against a corner wall. The female is fully nude with genitals exposed.

13. Image 4 shows what appears to be the same pre-pubescent female from Image 3. The female appears to be sitting in the same corner on the wood floor. The female is fully nude, holding her legs under the knee to open up and fully expose her genitals.

14. Image 5 shows a collage of ten photos, side-by-side, five on top with five on the bottom. Each photo appears to contain the same pre-pubescent female posing in different positions. Photos include genitals fully exposed along with the female's finger positioned in the anus.

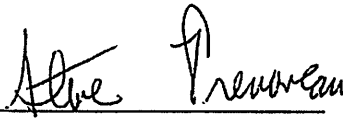
15. The hidden album on CAO's Apple iPhone 14 Pro Max contains 12,109 photos and 1,441 videos. This hidden album was fully accessible while the phone was in airplane mode. A quick scroll through the thumbnails indicate that the majority of the photos and videos contain child sexual abuse material (CSAM).

16. The Apple iPhone 14 Pro Max contains various chat application like Telegram. There are several text threads which appear to be used to exchange CSAM. Titles of these text threads include "Adolescentes Tchat," "Teens nudist," "Sexe France," and foreign-titled sites, several which appear to be of Russian origin.

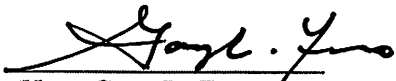
CONCLUSION

17. Based on the foregoing information, there is probable cause to conclude that Liang CAO has knowingly possessed child pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

Attested to by the affiant:


Steven Prenoveau
Special Agent
Homeland Security Investigations

I, the Honorable Gary L. Favro, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on May 7, 2024, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.


Hon. Gary L. Favro
United States Magistrate Judge